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HONOURABLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.21039 OF 1994

DATED:26th September, 2005

Between:

1. G.Yesu Babu and another

.... PETITIONERS

AND

1. The Commissioner of Endowments,
Andhra Pradesh, Hyderabad and another

.... RESPONDENTS

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HONOURABLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.21039 OF 1994

ORDER:

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This writ petition is restored to file by an order of this Court dated 26-09-2005 in W.P.M.P(SR).No.21632 of 2005.

2. The petitioners approached this Court through this writ petition seeking a direction to the respondents to treat the petitioners as Junior Assistants in the second respondent temple by virtue of their eligibility to hold those posts.

3. The first petitioner was appointed as N.M.R. Counter Clerk on 05-01-1989 in the second respondent temple and the second petitioner was appointed in the same capacity on 12-02-1989. Subsequently, instructions were given by the Commissioner, at the instance of the Executive Officer, to regularize the services of the N.M.R. Workers, who have completed five years of service and who possess the requisite qualifications. Accordingly, some of the N.M.Rs., who have more seniority to the petitioners, were appointed as Junior Assistants and the petitioners were regularized in the posts of Record Assistants. The petitioners approached this Court with a grievance that though they are eligible to hold the posts of Junior Assistants, they were discriminated and were regularized in the posts of Record Assistants, therefore, a direction has to be given to the second respondent to treat them as Junior Assistants and extend all the consequential benefits to them.

4. After going through the record, it is noticed that the candidates who are seniors to the petitioners were appointed as Junior Assistants. The petitioners and their juniors were regularized as Record Assistants. None of the juniors of the petitioners were given better post including the post of the Junior Assistant. It is not the case of the petitioners that though there are vacancies of Junior Assistants, their cases were not considered. So, the second respondent absorbed the N.M.Rs. and regularized the services of the candidates in the posts of Junior Assistants to the extent the posts are available and all other NMRs who have completed five years have been regularized as Record Assistants. After going through the relevant orders, it is noticed that the second respondent did not show any discrimination and there is no illegality in the order passed by the second respondent. In the light of the above circumstances, I do

not find merits in the writ petition warranting interference of this Court.

5. The writ petition is accordingly dismissed. No order as to costs.

26th September, 2005

SKM